

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

GUILLERMO NUNO,)	Case No.: 1:21-cv-00769-SAB (PC)
)	
Plaintiff,)	ORDER DIRECTING CLERK OF COURT TO
)	RANDOMLY ASSIGN A DISTRICT JUDGE TO
v.)	THIS ACTION
)	
ESLICK, et al.,)	FINDINGS AND RECOMMENDATIONS
)	RECOMMENDING DISMISSAL OF CERTAIN
Defendants.)	CLAIMS
)	
)	(ECF Nos. 16, 17)

Plaintiff Steven Deon Turner, Jr., is proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983.

On July 30, 2021, the undersigned screened Plaintiff's complaint and found that Plaintiff stated a cognizable claim for deliberate indifference against Defendants Eslick and Flores, and a cognizable retaliation claim against Defendants Satterfield and Flores. (ECF No. 16.) However, Plaintiff was advised that he failed to state any other cognizable claims. (*Id.*) Plaintiff was granted the opportunity to file an amended complaint or a notice of intent to proceed on the claim found to be cognizable. (*Id.*)

On August 10, 2021, Plaintiff notified the Court of his intent to proceed on the deliberate indifference claim against Defendants Eslick and Flores and retaliation claim against Defendants Satterfield and Flores. (ECF No. 17.) Accordingly, the Court will recommend that this action proceed against Defendants Eslick, Flores and Satterfield. Fed. R. Civ. P. 8(a); *Ashcroft v. Iqbal*, 556 U.S.

662, 678 (2009); Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007); Hebbe v. Pliler, 627 F.3d 338, 342 (9th Cir. 2010).

Based on the foregoing, it is HEREBY ORDERED that the Clerk of Court shall randomly assign a District Judge to this action.

Further, it is HEREBY RECOMMENDED that:

1. This action proceed against Defendants Eslick and Flores for deliberate indifference, and against Defendants Satterfield and Flores for retaliation; and
2. All other claims be dismissed for failure to state a cognizable claim.

These Findings and Recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within **fourteen (14) days** after being served with these Findings and Recommendations, Plaintiff may file written objections with the Court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file objections within the specified time may result in the waiver of rights on appeal. Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014) (citing Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)).

IT IS SO ORDERED.

Dated: **August 11, 2021**


UNITED STATES MAGISTRATE JUDGE